

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

DONALD LEE BOWERS

PLAINTIFF

v.

No. 04-2102

DEPUTY CLARKE, DEPUTY STATEN,
DEPUTY SCHUCH, and CORPORAL GIBSON

DEFENDANTS

ORDER

Now on this 22nd day of December 2005, there comes on for consideration the report and recommendation filed herein on December 2, 2005, by the Honorable Beverly Stites Jones, United States Magistrate Judge for the Western District of Arkansas. (Doc. 26). The parties have not filed any objections to the report and recommendation.

The court has reviewed this case and, being well and sufficiently advised, finds as follows: The report and recommendation is proper and should be and hereby is adopted in its entirety. Accordingly, Defendants' Motion for Summary Judgment (Doc. 16) is DENIED.

IT IS SO ORDERED.

/s/ Robert T. Dawson
Honorable Robert T. Dawson
United States District Judge